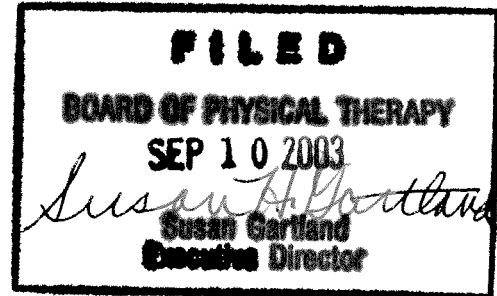


SEP 10 2003

PETER C. HARVEY
ACTING ATTORNEY GENERAL OF NEW JERSEY
Division of Law
124 Halsey Street
P.O. Box 45029
Newark, New Jersey 07101



By: Carmen A. Rodriguez
Deputy Attorney General
(973) 648-3696

STATE OF NEW JERSEY
DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF PHYSICAL THERAPY EXAMINERS

IN THE MATTER OF THE SUSPENSION :
OR REVOCATION OF THE LICENSE OF :

LALAIN LEANO, P.T.
License No. QA08384

Administrative Action

CONSENT ORDER

TO PRACTICE PHYSICAL THERAPY :
IN THE STATE OF NEW JERSEY :

This matter was opened to the New Jersey State Board of Physical Therapy (hereinafter "the Board") upon receipt of information that patient L.G.P. 's physical therapy treatment consisted solely of biofeedback. Specifically, the information indicated that the 11 treatment sessions received by L.G.P. from December 15, 2001 through January 22, 2002 for injuries from a car accident were made up only of biofeedback. On February 11, 2003, Lalaine Leano respondent appeared with counsel, Steven Pontell, Esq., at an investigative inquiry held by a committee of the Board.

Having reviewed the entire record, including the testimony of respondent at the investigative inquiry, it appears to the Board that the patient record in this matter was grossly incomplete as the patient records did not accurately reflect the patient contact as it failed to include: a physical

therapy diagnosis, a written treatment plan, results of tests, i.e., patient had an MRI taken but neither this information nor the results of the test was reflected in the patient record, a plan of care with established measurable goals of the intervention with stated time frames and type of intervention and frequency and expected duration of the intervention, progress notes with stated goals at a frequency consistent with the physical therapy diagnosis, evaluative findings and changes in the patient's condition and failed to include a discharge summary with an explanation for the reason for terminating the physical therapy in violation of N.J.A.C. 13:38A-3.1(a) and (c) 2, 3, 5, 7, 9 and 13. Ms. Leano, the Respondent, also testified that this patient was given a massage and various exercises as part of the treatment but these treatments also were not reflected in the patient record.

Additionally, the billing codes reflect that the initial evaluation conducted on December 5, 2001 and re-evaluation performed on January 3, 2002 included charges for orthotic, neuromuscular and ADL self. Upon questioning from the committee, Respondent testified at the inquiry that the codes used were evaluative codes. However, she further stated that "the patient did not need an orthotic fitting." A review of the patient record does not substantiate the billing for orthotic, neuromuscular or ADL self care management by this patient. It appears that these actions constitute overutilization and excessive fees in violation of N.J.A.C. 13:39A-3.6(d).

These facts establish basis for disciplinary action pursuant to N.J.S.A. 45:1-21(h) for the respondent's failure to maintain a patient record that accurately reflected the patient contact in violation of N.J.A.C. 13:39A-3.1(a), (c) 2, 3, 5, 7, 9 and 13. The continual billing for services that were not supported by the record violates N.J.A.C. 13:39A-3.6(d). It appearing that respondent desires to resolve this matter without admissions and without recourse to formal proceedings, and for good cause shown:

IT IS ON THIS 8th DAY OF September, 2003

HEREBY ORDERED AND AGREED THAT:

1. The respondent, Lalaine Leano, P.T. is hereby formally reprimanded for the incomplete record keeping as described above.

2. Respondent shall successfully complete and pass a remedial record keeping course. This course shall be completed within one year of the entry of the within Consent Order. Respondent shall secure prior approval of the Board for the specific course proposed to satisfy this requirement. Respondent is to submit written proof of successful completion and passing of the required course work.

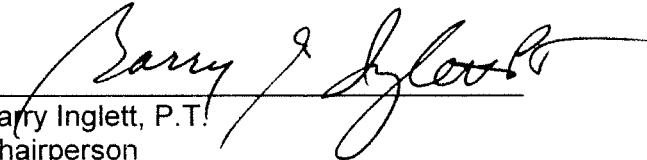
3. Respondent shall cease and desist from continuing to prepare incomplete patient records.

4. Respondent is hereby assessed civil penalties, pursuant to N.J.S.A. 45:1-22, in the amount of \$2000 for conduct with respect to her incomplete record keeping and the overutilization charges. The total represents \$1000 penalty for violation of N.J.A.C. 13:39A-3.1(a), (c) 2,3,5,7,9 and 13 and a penalty of \$1000 for violation of N.J.A.C. 13:39A-3.6(d). Payment for the civil penalties totaling \$2000, shall be submitted no later than thirty days from the entry of this Consent Order, by certified check or money order made payable to New Jersey State Board of Physical Therapy Examiners and shall be sent to Susan Gartland, Executive Director, P.O. Box 45014, Newark, New Jersey. Subsequent violations will subject respondent to enhanced penalties pursuant to N.J.S.A. 45:1-25.

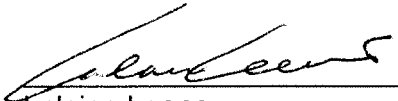
5. Respondent is hereby assessed the costs to the State of the investigation in this matter in the amount of \$516.00. Payment for the costs shall be submitted by certified check or money order made payable to the State of New Jersey and submitted to the Board no later than thirty days from the entry of this Consent Order. Payment shall be sent to the New Jersey State Board of Physical Therapy Examiners at the address described in paragraph #3.

6. Failure to comply with any provisions of this Order or remit any and all payments required by this Order will result in the filing of a certificate of debt and may result in subsequent disciplinary proceedings for failure to comply with an Order of the Board.

NEW JERSEY STATE BOARD OF PHYSICAL THERAPY
EXAMINERS

By: 
Barry Inglett, P.T.
Chairperson

I have read and understand the
within Consent Order and agree
to be bound by its terms. Consent
is hereby given to the Board to
enter this Order.


Lalaine Leano
